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DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species: 3-29. The species are independent or distinct because:

Species 0 (Claim 1-2 and 15) are distinct due to determining an expiration date for products in circulation
Species 1 (Claims 3-4 and 16) are distinct due to accessing records to determine expiration date for products in circulation.

Species 2 (Claims 5-6 and 18 and 19) are distinct due to terminals interacting to determine expiration date for products in circulation.

Species 3 (Claim 7) are distinct due to network interaction for to determine expiration date for products in circulation.

Species 4 (Claim 8, 22, and 23) are distinct due to an arithmetic processing section to determine expiration date for products in circulation.

Species 5 (claim 9) are distinct due to a factor table to determine expiration date for products in circulation.

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Species 6 (claim 10) are distinct due to detachable components to determine expiration date for products in circulation.

Species 7 (Claim 11, 24, and 25) are distinct due to individual groupings for machines to determine expiration date for products in circulation.

Species 8 (Claims 12 and 26) are distinct due to a receiver to determine expiration date for products in circulation.

Species 9 (Claim 13) are distinct due accessing records for a receiver to determine expiration date for products in circulation.

Species 10 (Claims 14, 17, and 27) are distinct due causing a terminal to determine expiration date for products in circulation.

Species 11 (Claims 20-21 and 28) are distinct due to considering the number of times of the collected data to determine expiration date for products in circulation.

Species 12 (Claim 29) is distinct due to a purchase option relating to products in circulation.

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Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

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Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asfand M. Sheikh whose telephone number is (571) 272-1466. The examiner can normally be reached on M-F 8a-4:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan M. Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. Ryan Zeender/ Supervisory Patent Examiner, Art Unit 3627	Asfand M Sheikh Examiner Art Unit 3627
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/Asfand M Sheikh/
Examiner, Art Unit 3627

26 November 2007